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June 7, 2013

*Via ECF*

Hon. Cheryl L. Pollak  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East, Rm. 1230  
Brooklyn, New York 11201

Re: *McNamee v. Clemens*, No. 09-CV-1647-SJ-CLP

Your Honor:

We represent Plaintiff Brian McNamee in the above-captioned matter. We write with the consent of Defendant with respect to two discovery issues.

First, the parties respectfully request that the Court extend the end date for all discovery in this case, currently set for June 28, 2013, and the deadline for dispositive motions, currently set for August 1, 2013 (Dkt. # 50), by ninety days (to September 26, 2013, and October 30, 2013, respectively). The parties are still engaged in the exchange and review of document discovery, both related to the Court's May 21, 2013 Order (Dkt. # 73) and other discovery. The parties have been conferring as to additional discovery disputes in good faith, but Plaintiff nonetheless anticipates filing a motion to compel additional document discovery shortly.

Second, we wish to inform the Court that Plaintiff does not intend to file a supplemental brief as contemplated by the Court's May 21, 2013 Order. As Defendant has produced all of the documents at issue rather than a privilege log, the supplemental briefing ordered by the Court appears moot.

We are available should the Court have questions about either of these issues. Thank you for your consideration.

Respectfully submitted,

/s/

Adam R. Pulver

c. Rusty Hardin & Associates, LLP, Counsel for Defendant

*Request to extend  
time is granted.  
So Ordered  
/s/ CHERYL POLLAK  
usmt  
6/7/13*